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June 12, 2007

Glenn P. Ladwig

Glenn P. Ladwig, Patent Attorney

PETITION TO WITHDRAW HOLDING OF  
ABANDONMENT UNDER 37 C.F.R. §1.181  
Patent Application  
Docket No. GJE-1051XC1  
Serial No. 10/570,126

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Thomas Roberts, Ole Gjoerup, Parmjit Jat, Marina Cotsiki  
Serial No. : 10/570,126  
Filed : February 28, 2006  
Conf. No. : 7405  
For : Immortalization of Mammalian Cells

MS PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF  
ABANDONMENT UNDER 37 C.F.R. §1.181

Sir:

Pursuant to 37 C.F.R. §1.181(a), the applicants hereby petition to withdraw the holding of abandonment of the above-identified application due to never having received the Notification of Missing Requirements under 35 U.S.C. §371 mailed on September 14, 2006.

The subject application became abandoned because a response to the Notification of Missing Requirements under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US) was not filed prior to the statutory due date of April 14, 2007. A copy of the Notification of Missing Requirements is attached. As explained below, the applicants did not receive the Notification of Missing Requirements prior to April 13, 2007. Therefore, the applicants respectfully request withdrawal of the abandonment of this application.

On April 12, 2007, the undersigned's assistant, Ms. Michelle Vandernoot, called the USPTO's PCT Help Desk to inquire as to the status of the subject application and spoke to Mr. Rafael Bacares. Mr. Bacares indicated that the application was still undergoing pre-examination processing and that no notice had yet been mailed to the applicants. Mr. Bacares also provided the name of the paralegal responsible for the subject application, Ms. Paulette Kidwell. Ms. Vandernoot called the USPTO's PCT Operations National Stage Division and left a voice mail for Ms. Kidwell and spoke to Ms. Christine Washington about the subject application. Ms. Washington indicated that the Notification of Missing Requirements had been prepared for the subject application, but never mailed. On April 13, 2007, Ms. Kidwell contacted Ms. Vandernoot and indicated that the application is abandoned because the applicants did not respond to the Notification. Ms. Vandernoot explained that the Notification was never received by the undersigned, and that Ms. Kidwell's colleague in the USPTO's PCT Operations National Stage Division told Ms. Vandernoot that the Notification had been prepared, but never mailed. Ms. Kidwell faxed a copy of the Notification to the undersigned on April 13, 2007 and indicated that the applicants needed to file a petition to reinstate the application and provide a copy of the undersigned's incoming mail list in order to prove that the undersigned's firm did not receive the Notification. A copy of the faxed Notification is attached, including the Facsimile Cover Sheet.

As of this date, the Notification of Missing Requirements still does not appear in the Patent Office's Patent Application Information Retrieval (PAIR) system (copy of PAIR print out attached). As of this date, no Notice of Abandonment appears on the PAIR system and no Notice of Abandonment has been received.

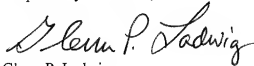
Also attached is a copy of undersigned counsel's docket record where the Notification of Missing Requirements would have been entered (docketed) in the ordinary course of business had it been received. A search of the file jacket and this docket record indicate that the undersigned's firm did not receive the Notification of Missing Requirements prior to April 13, 2007. As the Notification of Missing Requirements was not received by the applicants prior to April 13, 2007, the applicants respectfully request that the time period for responding to the Notice be reset to run from April 13, 2007 and that the applicants' submission of the executed Declaration and Power of Attorney form and Sequence Listing be considered timely.

The applicants respectfully request withdrawal of the abandonment of this application.

The applicants do not believe that any fee is required for this petition; however, the Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 that may be required by this or any other paper in the subject application to Deposit Account No. 19-0065.

The applicants also invite the Examiner to call the undersigned if clarification is needed on any of this Petition.

Respectfully submitted,



Glenn P. Ladwig  
Patent Attorney

Registration No. 46,853

Phone: 352-375-8100

Fax No.: 352-372-5800

Address: P.O. Box 142950  
Gainesville, FL 32614-2950

GPL/mv

Attachments: Transmittal Letter in response to Notification of Missing Requirements  
Copy of Notification of Missing Requirements, with facsimile cover sheet  
Copy of PAIR print-out  
Copy of the Docket Record



PCT OPERATIONS

FACSIMILE TRANSMISSION COVER SHEET

DATE: 4/13/07

TO: Michelle

TELEPHONE: \_\_\_\_\_

FAX NO.: 352-3725800

FROM: Paulette Kidwell

TELEPHONE: 703-308-89140 ext 216

FAX NO.: 703-308-4785 OR 703-305-3230

MESSAGE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NUMBER OF PAGES 3 (INCLUDING THIS PAGE)



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/570,126	Thomas Roberts	GJE1051XC1
		INTERNATIONAL APPLICATION NO.
		PCT/GB04/03880
23557	SALI WANCHIK LLOYD & SALIWANCHIK	I.A. FILING DATE
		09/10/2004
		PRIORITY DATE
		09/12/2003

23557  
SALIWANCHIK LLOYD & SALIWANCHIK  
A PROFESSIONAL ASSOCIATION  
PO BOX 142950  
GAINESVILLE, FL 32614-2950

CONFIRMATION NO. 7405  
371 FORMALITIES LETTER



Date Mailed: 09/14/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/28/2006
- Copy of the International Search Report filed on 02/28/2006
- Copy of IPE Report filed on 02/28/2006
- Preliminary Amendments filed on 02/28/2006
- Oath or Declaration filed on 02/28/2006
- Biochemical Sequence Listing filed on 02/28/2006
- Request for Immediate Examination filed on 02/28/2006
- U.S. Basic National Fees filed on 02/28/2006
- Priority Documents filed on 02/28/2006
- Specification filed on 02/28/2006
- Claims filed on 02/28/2006
- Abstracts filed on 02/28/2006
- Drawings filed on 02/28/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.66.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6846 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTER KIDWELL

Telephone: (703) 308-9140 EXT 216

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/570,126	PCT/GB04/03880	GJE1051XC1



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13576125

Immortalization of mammalian cells and therapeutic applications of said cells

[Select New Case](#)[Application Data](#)[Transaction History](#)[Image File Wrapper](#)[Continuity Data](#)[Address & Attorney/Agent](#)[Publication Review](#)**Transaction History**

Date	Transaction Description
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03-18-2006	Cleared by OIPE CSR
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02-28-2006	Initial Exam Team nn
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*If you need help:*

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.

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16/570,126

Immortalization of mammalian cells and therapeutic applications of said cells

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## Available Documents

Mail Room Date	Document Description	Document Category	Page Count	Select All	Start Download
09-13-2006	Miscellaneous Internal Document	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>
09-13-2006	Fee Worksheet (PTO-06)	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>
09-13-2006	Claim Worksheet (PTO-2022)	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Transmittal of New Application	PROSECUTION	4	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Oath or Declaration filed	PROSECUTION	3	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Fee Worksheet (PTO-06)	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Preliminary Amendment	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Specification	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Claims	PROSECUTION	4	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Abstract	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Documents submitted with 371 Applications	PROSECUTION	4	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Specification	PROSECUTION	35	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Claims	PROSECUTION	2	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Abstract	PROSECUTION	2	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Drawings	PROSECUTION	7	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Sequence Listing	PROSECUTION	5	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Documents submitted with 371 Applications	PROSECUTION	6	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2006	Certified Copy of Foreign Priority Application	PROSECUTION	45	<input type="checkbox"/>	<input type="checkbox"/>



## Events Correspondence Clip

Matter ID	Date Received	Comments
GJE-1051XC1	02/20/2006	Received mail (DHL) from GJE (John Jappy) dated 02/15/2006 - National Phase Instructions
GJE-1051XC1	02/20/2006	Sent mail (fax) to John W. Jappy Acknowledged instructions to file application.
GJE-1051XC1	02/28/2006	Sent mail (Express Mail EQ 438158018 US) to PTO \$1,200 Transmitted materials for filing (Preliminary Amendment, unexecuted Dec/POA, Large entity) Basic fee \$300 Examination fee \$200 Search fee \$400 Total claims \$300
GJE-1051XC1	03/01/2006	Sent package to GJE (dated 02/28/2006) to Mr. John W. Jappy Filing Particulars
GJE-1051XC1	03/16/2006	Received postcard from PTO - Serial Number Postcard
GJE-1051XC1	03/23/2006	Sent package to GJE (dated 03/16/2006) to Mr. John W. Jappy Serial Number Postcard
GJE-1051XC1	04/12/2007	Sent mail (email) to Mr. John W. Jappy Re: GJE-1051XC1; JWJ01051US
GJE-1051XC1	04/13/2007	Received fax from PTO - copy of Notification of Missing Requirements Under 35 USC 371 dated 09/14/2006
GJE-1051XC1	04/13/2007	Received email from Mr. John W. Jappy Re: GJE-1051XC1; JWJ01051US
GJE-1051XC1	04/18/2007	Sent mail (email) to Mr. John W. Jappy RE: GJE-1051XC1; JWJ01051US
GJE-1051XC1	05/17/2007	Sent mail (email) to Mr. John W. Jappy FW: GJE-1051XC1; JWJ01051US
GJE-1051XC1	05/30/2007	Sent mail (email) to Mr. John W. Jappy FW: GJE-1051XC1; JWJ01051US
GJE-1051XC1	06/05/2007	Received email from Mr. John W. Jappy Re: FW: GJE-1051XC1; JWJ01051US
GJE-1051XC1	06/06/2007	Sent mail (email) to Mr. John W. Jappy RE: FW: GJE-1051XC1; JWJ01051US
GJE-1051XC1	06/07/2007	Received email from Mr. Glyn Truscott (Gill Jennings & Every) Re: GJE-1051XC1; JWJ01051US